UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE FAB UNIVERSAL CORPORATION	Lead Case No. 14-CV-687
SHAREHOLDER)
DERIVATIVE LITIGATION)
)
)
This Document Relates To:)
)
ALL DERIVATIVE ACTIONS)
)

NOTICE OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF SETTLEMENT

PLEASE TAKE NOTICE that Plaintiffs Kathi W. Thorbjornsen and Randolph J. Rowekamp respectfully move this Court for an Order pursuant to Rule 23.1 of the Federal Rules of Civil Procedure finally approving the Settlement of all derivative claims set forth in the above-captioned action.

This motion is based upon the accompanying Memorandum of Law in Support of the Motion for Final Approval of Settlement, the Declaration of Melinda A. Nicholson in Support of the Motion for Final Approval of Settlement and Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Incentive Awards ("Declaration"), and all related exhibits.

On August 11, 2015, this Court entered an Order preliminarily approving the proposed Settlement, directing the Parties to disseminate notice of the Settlement, setting a further briefing schedule, and scheduling a hearing to consider whether to grant final approval of the Settlement (the "Preliminary Approval Order"). Having complied with the directives of the Preliminary Approval Order, and for the reasons set forth in the accompanying memorandum and Declaration, Plaintiffs now respectfully request entry of an Order and Final Judgment:

1) Finally approving the terms of the Settlement as fair, reasonable, and adequate;

Case 1:14-cv-00687-RWS Document 19 Filed 09/03/15 Page 2 of 3

2) Finding that notice of the Settlement issued pursuant to and in accordance with the

Preliminary Approval Order was adequate, reasonable, and in full compliance with

Federal Rule of Civil Procedure 23.1, due process and all applicable law;

3) Certifying, for settlement purposes only, that the litigation is properly maintained as a

shareholder derivative action on behalf of the Company; and

4) Dismissing the litigation with prejudice.

The proposed Order and Final Judgment is attached as Exhibit D to the Stipulation and

Agreement of Compromise, Settlement and Release, which is being contemporaneously

submitted to the Court as Exhibit A to the Declaration.

Dated: September 3, 2015

Respectfully submitted,

KAHN SWICK & FOTI, LLC

By: s/Melinda A. Nicholson
Melinda A. Nicholson
KAHN SWICK & FOTI, LLC
206 Covington Street
Madisonville, LA 70447

Telephone: (504) 455-1400 Facsimile: (504) 455-1498

melinda.nicholson@ksfcounsel.com

Lead Counsel for Plaintiffs

Case 1:14-cv-00687-RWS Document 19 Filed 09/03/15 Page 3 of 3

CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2015, I electronically filed: Notice of Plaintiffs'

Motion for Final Approval of Settlement; Memorandum of Law in Support of the Motion for

Final Approval of Settlement; Declaration of Melinda A. Nicholson in Support of the Motion for

Final Approval of Settlement and Motion for an Award of Attorneys' Fees, Reimbursement of

Expenses, and Incentive Awards using the CM/ECF system, which then sent a notification of

such filing (NEF) to all counsel of record.

/s/ Melinda A. Nicholson

Melinda A. Nicholson

- 3 -